



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

August 9, 2010

Mr. Mike Lazaridis
President and Co-Chief Executive Officer
Research in Motion
295 Philip Street
Waterloo, ON N2L 3W8

Mr. Jim Balsillie
Co-Chief Executive Officer
Research in Motion
295 Philip Street
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Dear Mr. Lazaridis and Mr. Balsillie:

Further to my letter of August 4, which I evidently wrote in haste, I was sadly disappointed when I read reports that RIM was in the process of striking a deal that would allow the government of Saudi Arabia to access BlackBerry users' encrypted data.

My standard practice is to extend the benefit of the doubt, and so I took your previous statement at face value: "The BlackBerry Enterprise Solution (BES) was designed to preclude RIM, or *any third party*, from reading encrypted information, under any circumstances ..." This seemed rather definitive to me, leaving little room for debate. I was wrong.

While I fully believe in your right to advance your business interests, it appears that I was not alone in my confusion, having just learned that only 10 per cent of BlackBerry users fall into the BES category, offering full security. I and others believed that your earlier statements, which were made categorically and without exception, applied across the board.

As Professor Ron Diebert, Director of the Citizen Lab at the University of Toronto, points out in his August 7, Globe and Mail article, it is unfortunate that RIM is not a member of the Global Network Initiative: "... a self-governance forum set up by Google, Microsoft and Yahoo, where issues around data sharing, retention and filtering are discussed in an open, principled way."

In my last letter, I praised your earlier stance for resisting the demands of Saudi Arabia, citing my strong belief that the right to control the collection, use and disclosure of information of our data is the right upon which all other human freedoms rest. Essentially *Privacy = Freedom*. For RIM to strike such a deal only serves to set a worldwide precedent for the further erosion of privacy and freedom, which, no doubt, will eventually extend to Ontarians and Canadians. This is a most unfortunate decision which, in my view, will be short-sighted. It is universally acknowledged that respecting the privacy of consumers is a sure path to long-term profits.

Sincerely yours,

Ann Cavoukian, Ph.D.
Commissioner

c: Robert Crowe, Vice-President, Industry, Government and University Relations



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